

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

\_\_\_\_\_  
Type or print name of person signing certification

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Applicant: CANADA Emily Jane

Group Art Unit: 1614

Serial No.: 10/579028

Examiner:  
-

Application Date: November 16, 2004

Conf No.: 8539

US Nat'l Entry Date (if applicable): May 11, 2006

For: PEROXISOME PROLIFERATOR ACTIVATED RECEPTOR MODULATORS

Docket No.: X-16554

**SECOND AMENDMENT UNDER 37 C.F.R. 1.121**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Introductory Comments**

Applicants hereby request amendment of the above-captioned application, prior to any action on the merits, to place the application in compliance with 37 CFR 1.265(e)(2) prior to November 1, 2007.

Applicants respectfully request that any refund due for cancellation of claims be paid to Eli Lilly and Company deposit account number 05-0840. Likewise, any fees that may be due in association with this amendment should be charged to Eli Lilly and Company deposit account number 05-0840.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper. This listing of the Claims shall replace all previous versions of the claims. Applicants submit that the amended claims include only 1 independent claim and 18 dependent claims for a total of 19 claims. Applicants believe that there are no claims having multiple dependencies. Applicants maintain that the present application is now in compliance with 37 CFR 1.265(e)(2). Entry of the amendments prior to any action on the merits is respectfully requested.

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper. Applicants request cancellation of Claims 8, 10, 13-15, 17-19, 23, 28-38, and 40-44. This listing of the claims hereby replaces all previous versions.